

Response to Final Office Action
dated May 4, 2006



PATENT
Application No. 09/868,379
Filing Date: 08/15/2001
Examiner: Michelle Graffeo
Art Unit: 1614
Attorney Docket No. H03763 PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the United States Patent Application of
Applicants: Christian Kropf,
Ulrike Brüninghaus,
Amerigo Pastura,
Michael Meinders,
Peter Wülknitz,
Rolf Hempelmann and
Marcel Roth

Application Serial No. 09/868,379
Filing Date: 08/15/2001
Claiming priority of International Application
PCT/EP99/09683, filed 12/09/1999
and German Application
DE 198 53 662.0, filed 12/18/1998

Examiner: Michelle Graffeo
Art Unit: 1614

Assignee: Henkel KGaA

Title: **FINE SUSPENSIONS OF POORLY SOLUBLE CALCIUM SALTS
AND THEIR USE IN DENTAL CARE PRODUCTS**

Certificate of Mailing Under 37 C.F.R. § 1.8

I hereby certify that the enclosed Request for Continued Examination with an Amendment and Response To United States Patent and Trademark Office Examiner's Action Under 37 C.F.R. § 1.111 with supporting documents is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope properly addressed to MAIL STOP — RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on September 5, 2006.

September 5, 2006
Date

Georgia Peters
Georgia Peters

Petition for Extension Under 37 C.F.R. § 1.136(a)

On May 4, 2006, the United States Patent and Trademark Office issued a Final Office Action. A period of three months was provided for Applicants' Response. Applicants hereby petition for a one-month extension of time from the August 4, 2006, deadline to September 4, 2006, to file their Response Under 37 C.F.R. § 1.111. The extension fee of \$120.00 is included in the check Applicants have enclosed for government fees.

September 5, 2006
Date

John S. Child, Jr.
John S. Child, Jr.
Registration No. 28,833

Response to Final Office Action
dated May 4, 2006

PATENT
Application No. 09/868,379
Filing Date: 08/15/2001
Examiner: Michelle Graffeo
Art Unit: 1614
Attorney Docket No. H03763 PCT/US

MAIL STOP – RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

**Amendment and Response
To United States Patent and Trademark Office
Examiner's Action Under 37 C.F.R. § 1.111**

Dear Sir:

I. Introduction

Applicants' Amendment and Response is to an United States Patent and Trademark Office ("Office") Examiner's Action ("Action") dated May 4, 2006. In the Action, the Examiner set a shortened statutory period for Applicants' reply of three months, *i.e.*, to August 4, 2006. Applicants have requested a one-month extension of time to reply to the Action, *i.e.*, to September 4, 2006. September 4, 2006, is Labor Day, a federal holiday. Accordingly, Applicants' Amendment and Response is timely under 37 C.F.R. § 1.7 as it is being filed on September 5, 2006, with a Certificate of Mailing Under 37 C.F.R. §1.8.

The Action is a Final Action. Accordingly, Applicants also submit a Request for Continued Examination with the fee set forth in 37 C.F.R. § 1.17(e). Under 37 C.F.R. § 1.114(d), "If an applicant timely files a submission and fee set forth in Section 1.17(e), the Office will withdraw the finality of any Office Action and the submission will be entered and considered." For that reason, Applicants' Amendment and Response is captioned as being under 37 C.F.R. § 1.111.